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The attached paper contains a portion of a draft article being prepared by the Office of Information Policy in the Department of Justice for use in their periodic publication, "FOIA Update." The theme of the article is classification practices within the government and includes sections such as the attached on a number of agencies. The statements attributed to Jack and myself were basically responses to Justice Department's questions. I am sure these remarks are within the parameter of official Agency testimony before Congress.

(Rec'd via Wang
from OIS to
EO/DDA.)

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Central Intelligence Agency

At the Central Intelligence Agency, protecting classified information under Exemption 1 of the FOIA is of course vital, but this task is aided by the existence of additional national security protection statutes, such as 50 U.S.C. 403(d)(3) and 403 g requiring it to protect "intelligence sources and methods."

Additionally, on 15 October 1984 the President signed into law the "Central Intelligence Agency Information Act," which relieves the CIA of the necessity of searching and reviewing records in its "operational" files.

"'Operational' files contain the records which describe how we conduct the business of the collection of intelligence," says [redacted] the CIA's Associate General Counsel. "A great deal of time was spent futilely retrieving and reviewing documents with full recognition that most, if not all, of the information in them would be exempt from disclosure. We still had to perform a page-by-page review to justify the withholding. We are now largely relieved of that requirement."

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The CIA must still apply E.O. 12356 and other appropriate exemptions to records not covered by this blanket protection. Such records include the final agency intelligence products--estimates and intelligence analyses concerning the national security matters that are directed to the President, and national policy makers--as well as administrative files and other non-operational files.

John H. Wright, the CIA's Information and Privacy Coordinator, estimates that "the Agency receives approximately 3,000 FOIA, PA and E.O. 12356 mandatory review requests per year. Many requests entail searches of the most voluminous and diverse types of operational records. Right now, we are completing the process of designating operational files."

"For security reasons," adds [redacted] "we typically assert Exemption\1 to withhold information concerning foreign governments or to protect information on our intelligence activities because that information is always classified. To disclose that we have intelligence sources capable of reporting on particular activities would harm our relations with foreign governments."

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